

Attorney Docket: 060012-0301882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 2905

GERSCHEFSKE

Application No.: 10/693,443

Group Art Unit: 3764

Filed: October 27, 2003

Examiner: J. DONNELLY

Title: EXERCISE APPARATUS WITH RESILIENT FOOT SUPPORT

AFFIDAVIT UNDER 37 C.F.R. § 1.131

I, Kevin Gerschefske, hereby affirm that I am the designated sole inventor of the above entitled application;

That the invention was reduced to practice in the United States prior to October 11, 2002;

That the attached copies of photographs, labeled Exhibits A through F, disclose the invention as reduced to practice as aforesaid;

That, as can be seen from Exhibits A through F, the invention as reduced to practice comprises an exerciser including a frame assembly, a movable body support and a movable foot support;

That the body support of the exerciser shown in the exhibits is mounted on the frame assembly by rollers that rollingly engaging tracks extending generally horizontally along the frame assembly;

That the movable body support shown on the exhibits of the exerciser supports the body of an exercising person in a position which allows the body of the exercising person to move with the movable body support while enabling the feet of the exercising person to be free to be moved with respect to the movable body support;

That the movable foot support of the exerciser shown in the exhibits can be engaged by the feet of the exercising person supported on the movable body support;

That by virtue of the aforesaid roller-track mount, the movable body support is mounted on the frame assembly for movement in a first direction away from the movable foot support and a second direction toward the movable foot support;

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That the exerciser shown in the exhibits includes a series of resilient elastomeric cords connected between the frame assembly and the movable body support;

That the aforesaid elastomeric cords functioned when the exerciser shown in the exhibits was used by an exercising person to absorb the energy of a movement of the movable body support in the first direction and to convert the absorbed energy into a movement of the movable body support with the user supported thereon in the second direction;

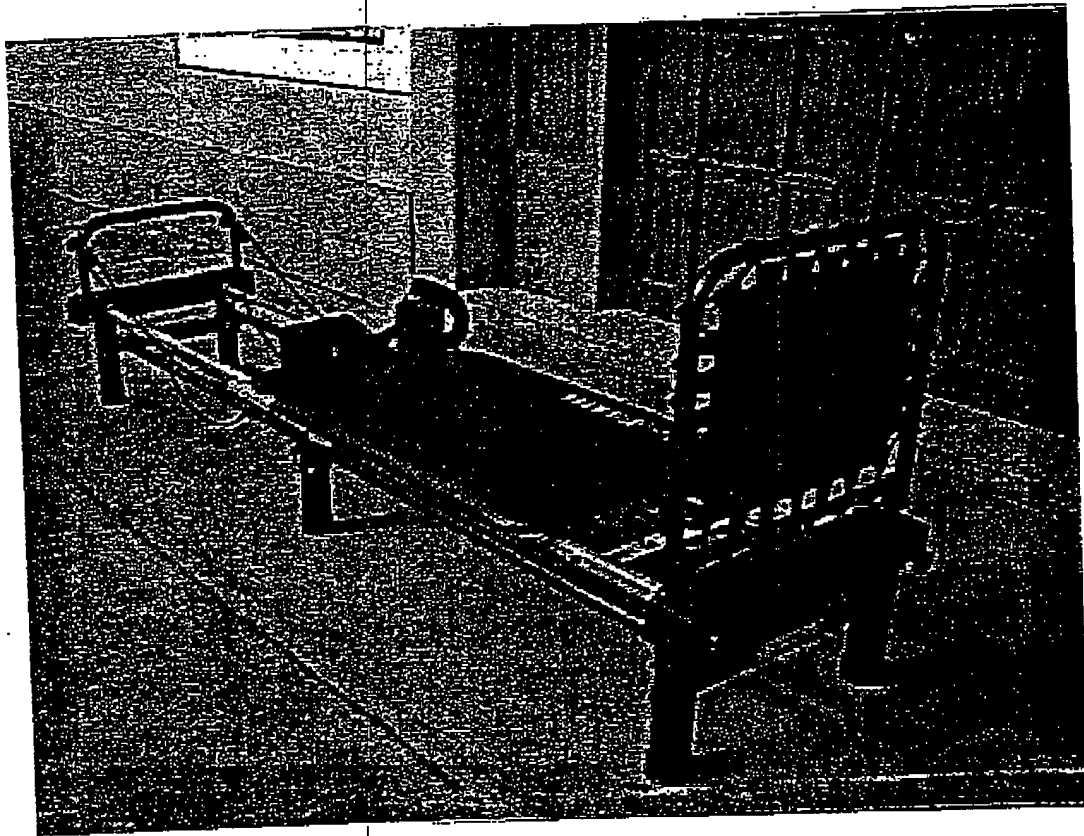
That the movable foot support of the exerciser shown in the exhibits is removably attached to the frame assembly and, as such, constitutes an attachment for the exerciser;

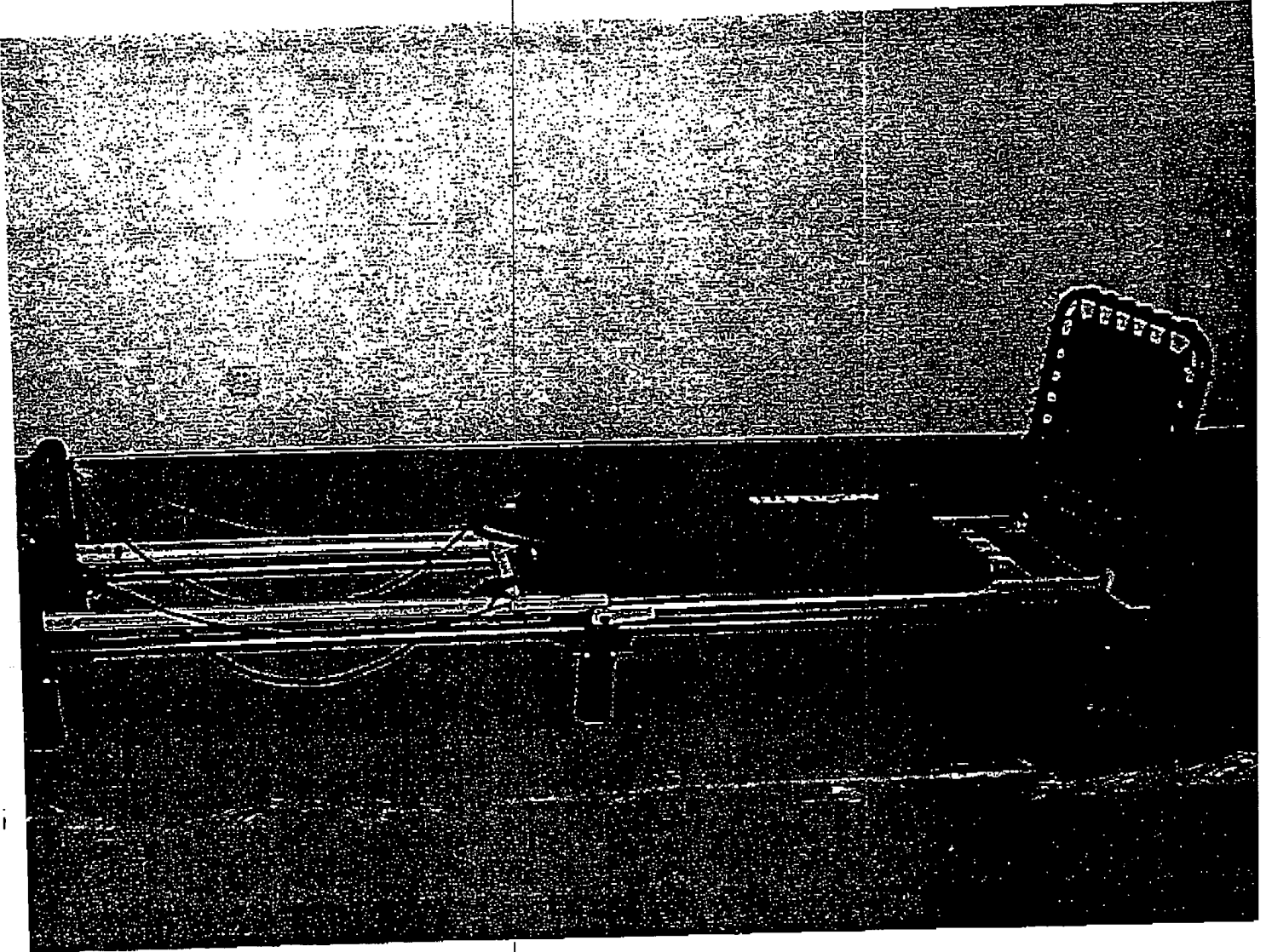
That the movable foot support attachment of the exerciser shown in the exhibits comprises a peripheral frame and a flexible sheet member connected within the peripheral frame by resilient elastomeric cords;

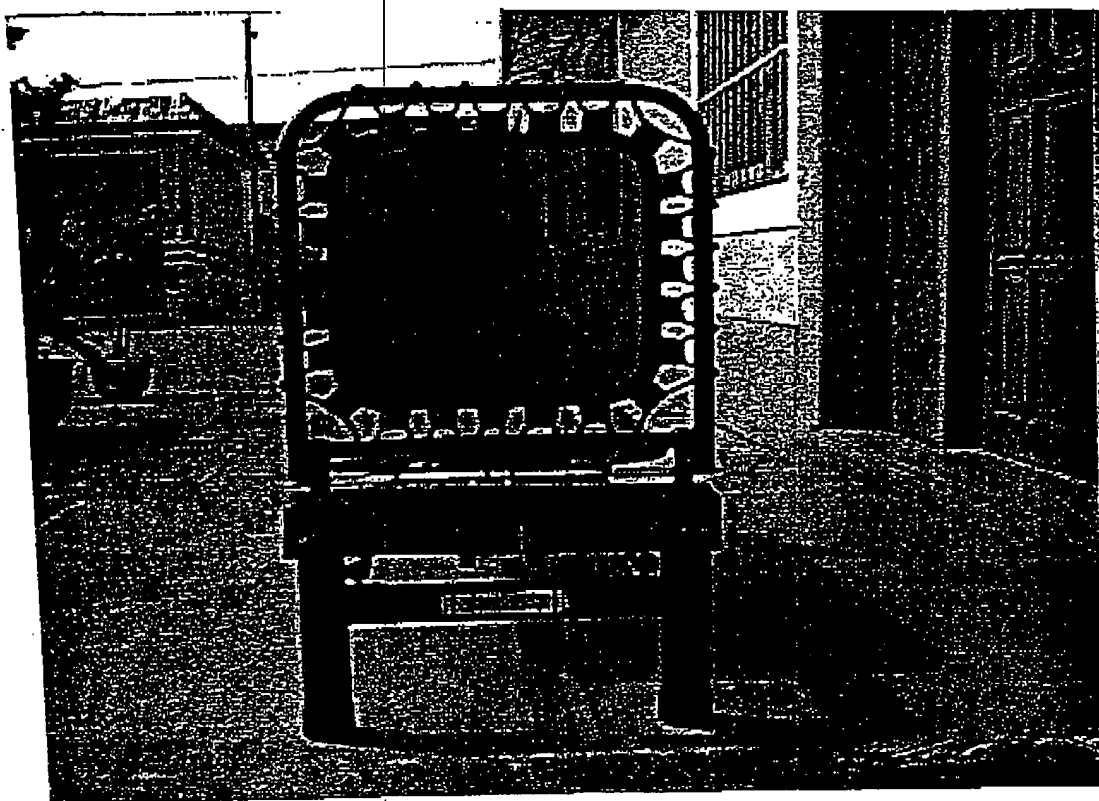
That as a result of the construction and arrangement of the movable foot support as aforesaid the movable foot support yields resiliently in response to the engagement of the feet of the exercising person moving with the movable body support in the second direction and establishes, as a result of the resilient yielding, a bouncing movement by the movable foot support in said first direction which can be translated by the exercising person into a movement of the movable body support in the first direction.

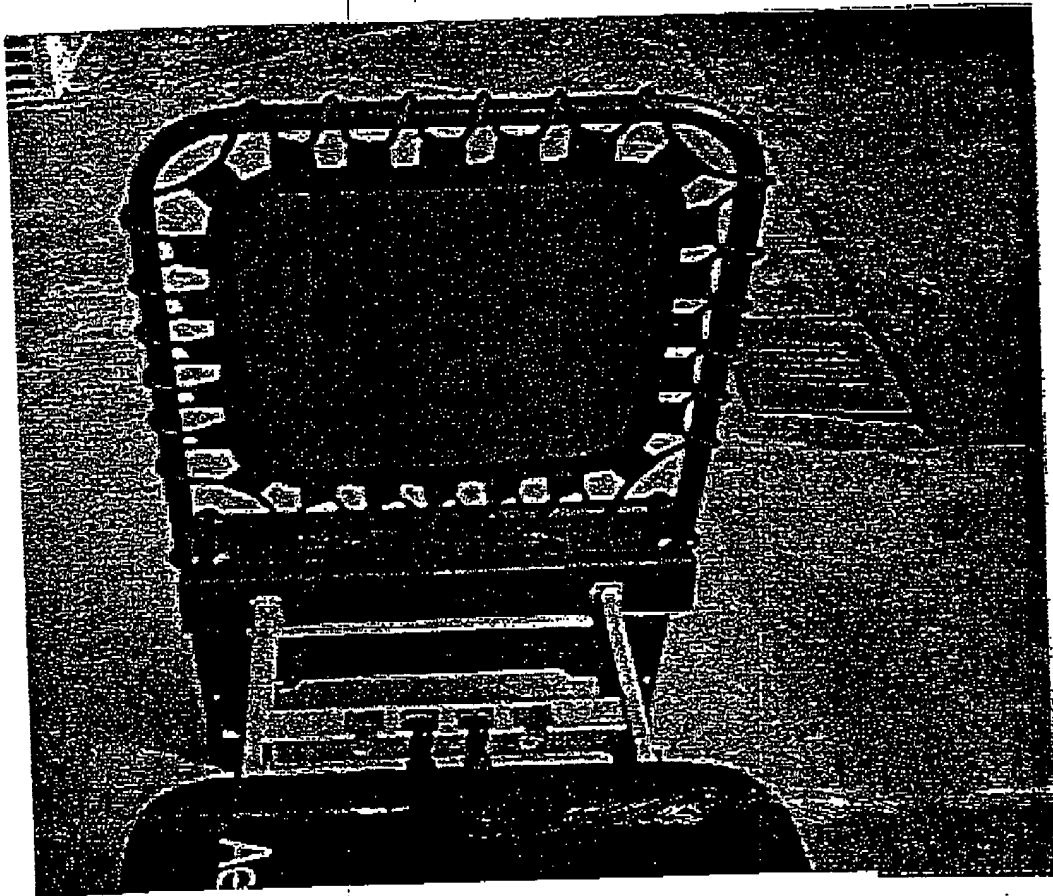
I hereby declare that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present application and any patent issuing thereon.

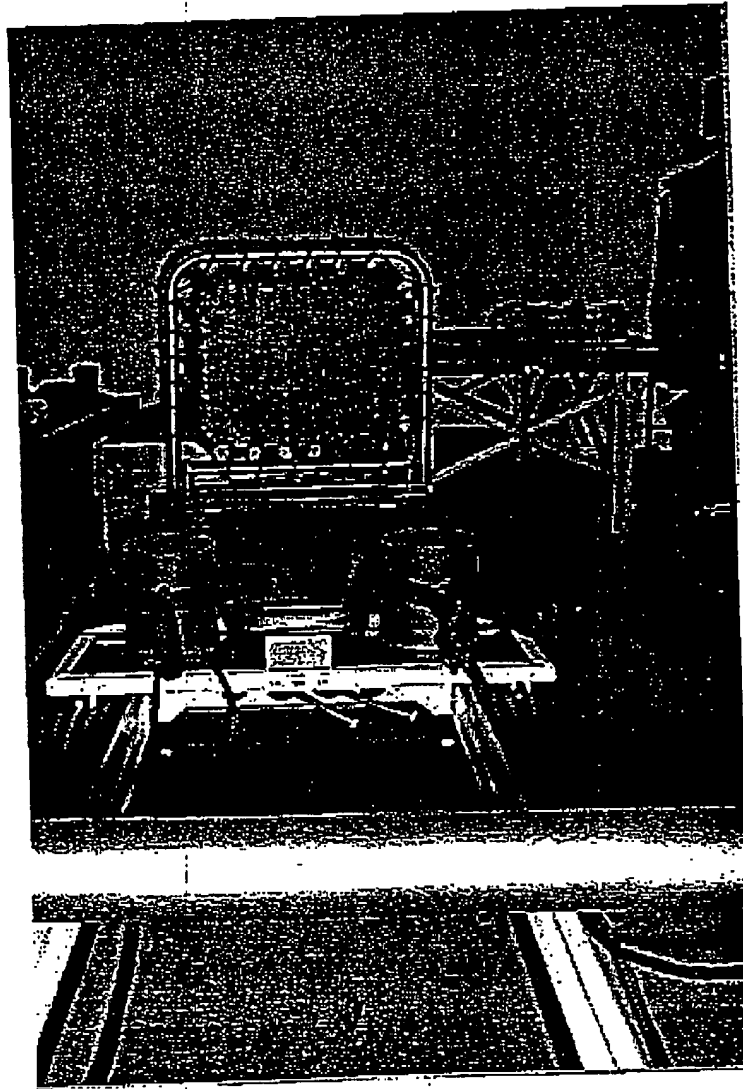

Kevin Gerschevske

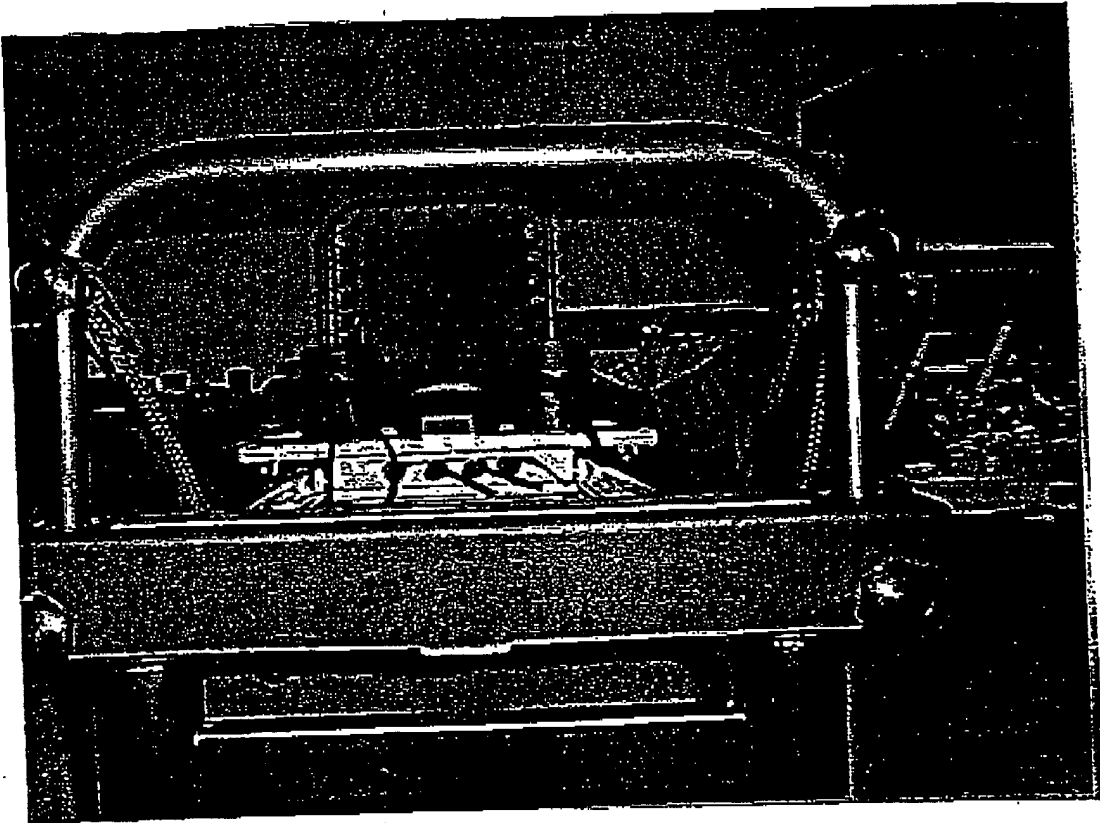
**EXHIBIT A**

**EXHIBIT B**

**EXHIBIT C**

**EXHIBIT D**

**EXHIBIT E**

**EXHIBIT F**

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